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March 22, 2013

Hon. Joan M. Azrack
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Eli Aizenman v. Collecto, Inc.
U.S. District Court, Eastern District of New York
No. 1:12-cv-04489-SJ-JMA

Dear Magistrate Judge Azrack:

I represent the defendant in the above matter. I write to the Court to request a modification of the fact discovery deadline, now scheduled for March 29, 2013.

In accordance with the Court's order, defendant served plaintiff with a set of interrogatories and production requests on February 4, 2013. Despite the schedule requiring responses by February 28, 2013, no responses have been received as yet. As a result, defendant has been impaired in being able to schedule the plaintiff's deposition or in determining whether other depositions might be required.

Accordingly, I am constrained to request a modification of the fact discovery deadline for a period of two months until the end of May 2013. This request is being made with the plaintiff's consent.

In the event we are unable to resolve our current discovery differences, I propose we use the upcoming conference on April 9 to discuss any then pending issues. If there are none, we should consider postponing the conference as well.

Respectfully,



Jonathan D. Elliot

JDE/raf

cc: Adam J. Fishbein, Esq.